

**BEFORE  
THE PUBLIC SERVICE COMMISSION  
SOUTH CAROLINA  
DOCKET NO. 2021-141-T**

Application of	)	
	)	
<b>DAD BOD MOVING LLC</b>	)	<b>CONSENT MOTION FOR</b>
	)	<b>PERMISSION TO PRESENT</b>
For a Class E (Household Goods) Certificate of Public	)	<b>SHIPPER WITNESS</b>
Convenience and Necessity for Operation of a Motor		<b>TESTIMONY BY AFFIDAVIT</b>
Vehicle		

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Dad Bod Moving LLC ("Dad Bod" or "Applicant") moves for permission to present the testimony of its shipper witness by affidavit. The Commission's regulation concerning the proof required to support an application for a Certificate of Public and Convenience and Necessity for a Class E mover of household goods with statewide authority is Found in S.C. Code Regs. 103-333 (the "Regulation").

Regarding the testimony of shipper witnesses, the Regulation states:

PC&N (Household Goods or Hazardous Waste for Disposal). An application for a Certificate of PC&N or to amend a Certificate of PC&N to operate as a carrier of household goods or hazardous waste for disposal by motor vehicle may be approved upon a showing that the application is fit, willing, and able to appropriately perform the proposed service and that public convenience and necessity are not already being served in the territory by existing authorized service. The public convenience and necessity criterion must be shown by the use of shipper witnesses, if the applicant applies for authority for more than three contiguous counties. If the commission determines that the public convenience and necessity is already being served, the commission may deny the application. The following criteria should be used by the commission in determining that an applicant for motor carrier operating authority is fit, willing, and able to provide the requested service to the public:

S.C. Code Regs. 103-133.1 (emphasis added)

In the interest of administrative economy (judicial economy in the administrative law context), the Applicant requests that the Commission allow the regulation's requirement of "use of a shipper witness" to be satisfied by the submission of an affidavit.

While the Commission's practice historically has been to allow an Applicant to take the testimony of shipper witnesses by deposition to be used at the hearing, recently the Commission has approved the use of an affidavit. *See e.g.* Application of Midlands Movers, LLC, Docket No. 2018-268-T. The Office of Regulatory Staff (the only party other than the Applicant in this Docket) would have the right to contest the adequacy of an affidavit. Counsel for the Applicant has discussed this Motion with counsel for the ORS, and the ORS does not object to the relief sought herein.

Therefore, Applicant respectfully requests the Commission allow it to present the testimony of its shipper witness by affidavit. The applicant attaches the Shipper Witness Affidavit of Ché Gardner as **Exhibit A** hereto.

s/C. Fredric Marcinak  
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Greenville, South Carolina

July 13, 2021 657037

**BEFORE  
THE PUBLIC SERVICE COMMISSION  
SOUTH CAROLINA  
DOCKET NO. 2021-141-T**

Application of	)	
	)	
<b>DAD BOD MOVING LLC</b>	)	<b>CERTIFICATE OF</b>
	)	<b>SERVICE</b>
For a Class E (Household Goods) Certificate of Public Convenience and Necessity for Operation of a Motor Vehicle	)	

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This is to certify that I, C. Fredric Marcinak, have this date served one (1) copy of the  
**CONSENT MOTION FOR PERMISSION TO PRESENT SHIPPER WITNESS  
TESTIMONY BY AFFIDAVIT (with attached Exhibit A)** in the above-referenced matter to  
the person(s) named below by causing said copy to be electronically mailed, addressed as shown  
below:

Benjamin P. Mustian  
Office of Regulatory Staff  
[bmustian@ors.sc.gov](mailto:bmustian@ors.sc.gov)

Carri Brube Lybarker  
SC Department of Consumer Affairs  
[clybarker@scconsumer.gov](mailto:clybarker@scconsumer.gov)

Roger P. Hall  
SC Department of Consumer Affairs  
[rhall@scconsumer.gov](mailto:rhall@scconsumer.gov)

Stephen Taylor Smith  
Dad Bod Moving LLC  
[taylor@dadbodmoving.com](mailto:taylor@dadbodmoving.com)

s/C. Fredric Marcinak  
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Attorneys for Applicant

Greenville, South Carolina  
July 13, 2021

BEFORE  
THE PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA

DOCKET NO. 2021-141-T

Application of )  
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DAD BOD MOVING LLC )  
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For a Class E (Household Goods) )  
Certificate of Public Convenience and )  
Necessity for Operation of a Motor Vehicle )  
 )

AFFIDAVIT OF  
SHIPPER WITNESS

Being duly deposited and sworn, Affiant states:

1. My name is Ché Gardner, and my address is 1924 Pearman Dairy Road, Anderson, South Carolina, 29625.

2. I am giving this affidavit in support of the application of Dad Bod Moving LLC Transportation, LLC for a Class E Certificate of Public Convenience and Necessity with statewide authority to move household goods to points and places throughout the state of South Carolina.

3. I am employed /by C. Dan Joyner, Realtors as a real estate broker and agent. I have been employed in the real estate industry in this capacity since October 2018. My responsibilities include showing properties, assisting buyers and sellers with the sale and/or purchase of their homes, overseeing closures and inspections, locating and engaging vendors to assist with property repairs, and negotiating deals.


4. I know of the need for household goods movers in South Carolina from personal experience and from real estate industry trends. On a personal level, I frequently encounter people who are moving from one home to another, and one part of South Carolina to another. They often ask me to recommend moving companies. There are many moving companies, but ones that are good, reliable, and available are always in demand. As a realtor, I am also familiar with South Carolina's housing trends. According to the South Carolina Realtors, sales were up by 2.4 % in 2019 and sale prices were up across all home sizes. Housing inventory is down because of an elevated demand. Although the 2021 report has not been prepared, demand and sales are up substantially more in 2021 year to date. I have attached a copy of the report as Exhibit A to this affidavit.

5. Based on my knowledge of the need for household goods movers in South Carolina. I believe the public interest would be served by granting a Certificate of Public Convenience and

Necessity to Dad Bod Moving LLC. Dad Bod Moving LLC is good, reliable, and available. The demand for movers of this type is such that, with increased demand, the market is not currently being adequately served.

6. I also would like the Commission to know that Dad Bod Moving LLC will treat customers fairly and provide excellent customer service.

Further Affiant sayeth not.

  
\_\_\_\_\_  
Affiant  
Affiant's Printed Name: Cherith Gardner

SWORN TO ME THIS July 13<sup>th</sup> day of June 2021.

Heather Bingham  
NOTARY PUBLIC FOR SOUTH CAROLINA

My Commission Expires: May 6, 2024

Notary's Printed Name: Heather Bingham

